

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 10,416

IN THE MATTER OF:

Served April 20, 2007

Application of L3 INVESTMENTS)	Case No. AP-2007-017
CORP., Trading as L3)	
TRANSPORTATION, for a Certificate)	
of Authority -- Irregular Route)	
Operations)	

Applicant seeks a certificate of authority to transport passengers in irregular route operations between points in the Metropolitan District, restricted to transportation in vehicles with a seating capacity of less than 16 persons only, including the driver. The application is unopposed.

I. REOPENING PROCEEDING

By letter dated February 23, 2007, applicant was directed to publish notice of this application in a newspaper of general circulation in the Metropolitan District no later than March 9, 2007, and file an affidavit of publication from the newspaper and certain other documents no later than March 23, 2007. As of March 28, applicant had yet to file the requisite affidavit and documents. Accordingly, this application was dismissed without prejudice that day.¹ On March 30, applicant filed the required documents and an affidavit from the Washington Post attesting to publication of the required notice on March 2. For good cause shown, this proceeding shall be reopened under Commission Rule No. 26.²

II. DECISION

The Compact, Title II, Article XI, Section 7(a), authorizes the Commission to issue a certificate of authority if it finds that the proposed transportation is consistent with the public interest and that the applicant is fit, willing, and able to perform the proposed transportation properly, conform to the provisions of the Compact, and conform to the rules, regulations, and requirements of the Commission.

Applicant proposes commencing operations with one sedan. Applicant proposes operating under a tariff containing charter rates and airport shuttle rates.

Applicant verifies that: (1) applicant owns or leases, or has the means to acquire through ownership or lease, one or more motor vehicles meeting the Commission's safety requirements and suitable for the transportation proposed in this application; (2) applicant owns, or has the means to acquire, a motor vehicle liability insurance policy that provides the minimum amount of coverage required by Commission regulations; and (3) applicant has access to, is familiar

¹ See Order No. 10,365 (Mar. 28, 2007).

² See *In re Tilly's Limousine & Sedan Services, Inc.*, No. AP-05-030, Order No. 9312 (Feb. 8, 2006) (reopening application proceeding to receive late-filed affidavit of publication).

with and will comply with the Compact, the Commission's rules, regulations and orders, and Federal Motor Carrier Safety Regulations as they pertain to transportation of passengers for hire.

Based on the evidence in this record, the Commission finds that the proposed transportation is consistent with the public interest and that applicant is fit, willing, and able to perform the proposed transportation properly, conform to the provisions of the Compact, and conform to the rules, regulations, and requirements of the Commission.

THEREFORE, IT IS ORDERED:

1. That this proceeding is hereby reopened pursuant to Commission Rule No. 26.

2. That upon applicant's timely compliance with the requirements of this order, Certificate of Authority No. 1375 shall be issued to L3 Investments Corp., trading as L3 Transportation, 1 Research Court, #450, Rockville, MD 20850.

3. That applicant may not transport passengers for hire between points in the Metropolitan District pursuant to this order unless and until a certificate of authority has been issued in accordance with the preceding paragraph.

4. That applicant is hereby directed to present its revenue vehicle(s) for inspection and file the following documents within the 180-day maximum permitted in Commission Regulation No. 66: (a) evidence of insurance pursuant to Commission Regulation No. 58 and Order No. 4203; (b) an original and four copies of a tariff or tariffs in accordance with Commission Regulation No. 55; (c) a vehicle list stating the year, make, model, serial number, fleet number, license plate number (with jurisdiction) and seating capacity of each vehicle to be used in revenue operations; (d) a copy of the for-hire vehicle registration card, and a lease as required by Commission Regulation No. 62 if applicant is not the registered owner, for each vehicle to be used in revenue operations; and (e) proof of current safety inspection of said vehicle(s) by or on behalf of the United States Department of Transportation, the State of Maryland, the District of Columbia, or the Commonwealth of Virginia.

5. That the grant of authority herein shall be void and the application shall stand denied upon applicant's failure to timely satisfy the conditions of issuance prescribed herein.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:



William S. Morrow, Jr.
Executive Director